

# EXHIBIT “O”

From: **Nigro, Michael** <[Michael.Nigro@nyct.com](mailto:Michael.Nigro@nyct.com)>  
Date: Fri, Aug 31, 2018 at 3:06 PM  
Subject: RE: MTA Track Worker, Exam No. 8600 (Special Accommodations)  
To: Kenneth Frilando <[k.frilando@gmail.com](mailto:k.frilando@gmail.com)>  
Cc: Exams Makeups <[ExamsMakeups@nyct.com](mailto:ExamsMakeups@nyct.com)>, Exams Unit <[ExamsUnit@nyct.com](mailto:ExamsUnit@nyct.com)>

Hello Mr. Frilando,

In response to your request for a reasonable accommodation we have agreed to provide an ASL interpreter to translate our staff member's oral instructions, and any communications between you and our staff member, and provide you with additional time to complete the exams. We do not provide translation or interpretation services of test examination questions for any candidate whose primary language is not English. This is for several reasons including that the positions require that the candidate understand and be understood in English. Furthermore, allowing ASL interpretation of the written exam questions would fundamentally alter the exam, and make uniform administration of the exam impossible.

If you are limited in your ability to read and write because of your disability, we can offer you 200% of the time normally allowed to complete the exams. The ASL interpreter will be present as long as you are there. We hope that you will find that these accommodations will address your concerns while allowing us to administer the exams in a consistent way for their intended purpose. Please let me know if you can be available on any of the examination dates I previously proposed.

Thank you,

**Michael Nigro**

**Manager, Exam Administration**

**Personnel Testing, Selection and Classification**

**Division of Human Resources**